

Jeopardy Assessment DRAFT
for the Proposed Incidental Taking Authorization
of the Butler's Garter Snake

Barker Road (CTH Y) and North Avenue (CTH M) roundabout
and road construction, City of Brookfield, Waukesha County

Background

The state-threatened Butler's garter snake is the smallest of the five Wisconsin garter snake species. Both sexes of this species reach maturity during their second full year and females deliver 4-19 live-born young in mid to late summer. This species requires a moderately open to open canopy habitat, preferably with both upland and wetland habitat. Butler's naturally hibernate in open-canopy wetlands (sedge meadows, fringes of cattail marshes, etc.) but are also known to occupy sites that provide other means for successful overwintering (i.e. old landfills where conditions provide access below the frostline and where adequate moisture exists).

The Butler's garter snake is a colonial species that is restricted to several southeastern counties in Wisconsin. There are currently 30 locations where this species has been documented from 1973 to present. Twenty-five of these records have been documented since 1990. Most sites that have been moderately to heavily surveyed for Butler's show a healthy age-class structure, indicating that regular recruitment is occurring on those sites. Surveys and monitoring since its listing in 1997 reveal that Butler's often occur in very large numbers on relatively small sites (i.e. 400+ snakes detected on a 20-acre site with less than 50% suitable [open canopy] habitat). Three intensive survey/monitoring efforts associated with mitigation for incidental take to date have involved large numbers of Butler's garter snakes (over 1200 Butler's on three isolated sites along Lincoln Creek within the City of Milwaukee). Surveys have also demonstrated that Butler's can occur, sometimes in high numbers, on highly disturbed and degraded sites. One example is the location of 62 Butler's during one survey of a brownfield site in the industrial heart of Milwaukee. Most of the snakes were found under pieces of broken concrete in a large, abandoned, gravel parking lot that was adjacent to a small wetland.

In Summary, the Butler's garter snake is a fast-maturing species with potentially high annual recruitment. It can sustain populations on highly disturbed sites if the disturbance factors are eliminated and suitable wetlands are present on or adjacent to these sites. Since 1997, most sites where Butler's were suspected to occur, based on proximity to known range and habitat and which were subsequently surveyed, verified their presence.

Jeopardy Assessment

The City of Waukesha proposes to reconstruct the intersection of Barker Rd. (CTH Y) and North Ave. (CTH M) in the City of Brookfield. The project consists of a multi-lane roundabout to replace the existing intersection with improvements to the approach roads for one thousand feet, excluding the Fox River structures. Habitat suitable for Butler's gartersnake occurs along the Fox River wetland floodplain corridor adjacent to the project area. Tier 3 habitat (habitat of greatest conservation value) occurs within the northeast and southwest corners of the existing intersection, and Tier 1 habitat occurs within the southeast corner. Two ecopassages will be installed to connect these three habitat areas presently isolated by the existing roadways. The habitat connectivity created will benefit the snake by increasing the total habitat area available. Snake exclusion fencing will also be installed to prevent snakes from entering the uplands in the project area, and snakes in the wetland fill areas will be removed prior to disturbance of those areas.

The following Conservation Measures must be met to meet the requirements of the Butler's Gartersnake Conservation Strategy in order for the pending Incidental Take Authorization (ITA) to be issued and remain in effect once issued.

Required Conditions:

1. Install and maintain snake exclusion fencing per the Department's Snake Fencing Requirements from March 16 through November 5 each year until the date that onsite construction has been completed.
2. Any suitable habitat that will be temporarily disturbed in the construction area must be restored to good quality habitat.
3. Install two ecopassages within the project area which will connect the three habitat areas previously isolated by Barker Rd (CTH Y) and North Ave (CTH M). One will be located about 75 feet north of the Barker Rd Fox River crossing, and the other will be located about 75 feet east of the of the North Ave Fox River crossing.
4. Remove snakes from the wetland fill areas prior to disturbance according to DNR guidance.

The department has determined that the proposed project is not likely to jeopardize the continued existence or recovery of the state population of these snakes or the whole plant-animal community of which they are a part if the conservation measures are strictly adhered to.